

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Regular Second Appeal No. 2676 of 1999(O&M)

Date of Decision: September 16 , 2015.

Smt. Mam Kaur (deceased) through LR's and others

..... APPELLANT (s)

Versus

Charan Singh and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Deepak Gupta, Advocate
for the applicant/appellants.

Mr. N.S.Swaitch, Advocate
for respondents No.2, 3 and 6.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

CM No.11288-C of 2015 and RSA No.2676 of 1999

Prayer in the application is for withdrawal of main appeal in view of the settlement arrived at between the parties.

With the consent of learned counsel for the parties, the main appeal is taken up for hearing.

Appellant-plaintiffs have filed a suit for declaration with an alternate plea of possession alleging that they were in possession of the suit

land. Learned trial court has dismissed the suit of plaintiffs vide judgment dated 23.12.1997. Said decision has been upheld by the learned Additional District Judge, Rohtak vide judgment dated 01.08.1998. Appellant-plaintiffs are in regular second appeal before this Court against the concurrent findings rendered by both the courts below.

It is submitted that as per settlement between the parties though not been reduced into writing, all the appellants have received the consideration amount in view of the said settlement.

Affidavits of all the appellants or their power of attorney holders are attached alongwith this application. It is specifically stated in the said affidavits that in view of settlement between the parties and having received the consideration amount, they do not want to pursue the present appeal and wish to withdraw the same.

Learned counsel for respondents No.2, 3 and 6 affirms the factum of settlement between the parties and submits that respondents have no objection for withdrawal of the appeal.

Keeping in view the facts and circumstances of the case and in view of the settlement arrived at between the parties, present appeal is dismissed as withdrawn.

September 16 , 2015.
'om'

(**LISA GILL**)
JUDGE